

STATE OF UTAH  
DIVISION OF WATER QUALITY  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
SALT LAKE CITY, UTAH

AUTHORIZATION TO DISCHARGE UNDER THE

UTAH POLLUTANT DISCHARGE ELIMINATION SYSTEM (UPDES)

**GENERAL PERMIT FOR CONSTRUCTION DEWATERING AND HYDROSTATIC TESTING**

In compliance with provisions of the *Utah Water Quality Act, Title 19, Chapter 5, Utah Code Annotated ("UCA") 1953, as amended* (the "Act"),

**FACILITY**

is hereby authorized to discharge from the construction dewatering/hydrostatic testing sites identified in the *Notice of Intent* (NOI), issued coverage number **UTG07(COVERAGE)**, under this general permit to receiving waters named:

**WATERS OF THE STATE**

in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

This permit shall become effective on January 1, 2014,

This permit and the authorization to discharge shall expire at midnight December 31, 2018.

Signed this <sup>13</sup> day of December, 2013.



Walter L. Baker, P.E.  
Director

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**I. COVERAGE, EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

**A. Coverage Under the General Permit.**

1. This general UPDES permit shall apply to construction dewatering of uncontaminated groundwater or surface water sources used in construction activities, hydrostatic testing of pipelines or other fluids vessels, water used in disinfection of drinking water vessels (provided the disinfectant is no longer viable), and other similar discharges in the State of Utah that have no discharge of process wastewater other than those described in this paragraph.
2. This permit does not authorize discharges from dewatering activities at hazardous waste sites, leaking chemical tanks, the discharge of toxic materials, or discharge of sanitary or industrial wastes (other than what is normally encountered at excavation and construction sites) at any location. This permit does not constitute authorization under 33 U.S.C. 1344 (Section 404 of the Clean Water Act) of any stream dredging or filling operations.
3. The permittee is authorized to discharge under the terms and conditions of this permit after submission of a completed NOI and after signature of the Director authorizing coverage between an effective date and an expiration date. A completed Notice of Intent (NOI) consists of either a letter containing the information listed below, completion of the online application process found at [www.waterquality.utah.gov](http://www.waterquality.utah.gov) or using or the NOI form in the Appendix with all relevant spaces filled out. The NOI should be submitted to the following address:

Department of Environmental Quality  
Division of Water Quality  
195 North 1950 West  
PO Box 144870  
Salt Lake City, UT 84114-4870

The NOI requires the following information:

- a. Name, address, telephone number, site location, map and descriptive location of the facility, amount of acreage to be disturbed, and location of discharge point(s) (latitude, longitude);
- b. Name of individual in charge of operation of the facility;
- c. Name of potential receiving water(s);
- d. Detail design of any wastewater treatment system and recycle/reuse utilized such as inlet, length, width, depth, volume, detention time, and outlet;
- e. Brief description of the type of activity resulting in the discharge. This shall include the anticipated volume and/or rate of discharge, and the source of water to be discharged;
- f. Start date and end date when construction dewatering and/or hydrostatic testing will be (is planned to be) accomplished.

individual UPDES permit.

**B. Requiring an Individual Permit or an Alternative General Permit.**

1. The Director may require any person authorized by this permit to apply for and/or obtain either an individual UPDES permit or an alternative UPDES general permit. The Director may require any owner or operator authorized to discharge under this permit to apply for an individual UPDES permit only if the owner or operator has been notified in writing that a permit application is required. This notification shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for the discharger to file the application, and a statement that on the effective date of the individual UPDES permit or the alternative general permit as it applies to the individual permittee, coverage under this general permit shall automatically terminate. Applications shall be submitted to the address of the Division of Water Quality shown in Part II.D of this permit. The Director may grant additional time to submit the application upon request of the applicant. If an owner or operator fails to submit in a timely manner an individual UPDES permit application as required by the Director, then the applicability of this permit to the individual UPDES permittee is automatically terminated at the end of the day specified for application submittal.
2. Any discharger authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. In such cases, the permittee shall submit an individual application in accordance with the requirements of Utah Administrative Code ("UAC") R317-8-3.8(2)(b)2 with reasons supporting the request, to the Director at the address for the Division of Water Quality in Part II.D of this permit. The request may be granted by issuance of any individual permit or an alternative general permit if the reasons cited by the permittee are adequate to support the request.
3. When an individual UPDES permit is issued to an owner or operator otherwise subject to this permit, or the owner or operator is authorized for coverage under an alternative UPDES general permit, the applicability of this permit to the individual UPDES permittee is automatically terminated on the effective date of the individual permit or the date of approval for coverage under the alternative general permit, whichever the case may be. When an individual UPDES permit is denied to an owner or operator otherwise subject to this permit, or the owner or operator is denied for coverage under an alternative UPDES general permit, the applicability of this permit to the individual UPDES permittee is automatically terminated on the date of such denial, unless otherwise specified by the Director.

**C. Narrative Standard.**

It shall be unlawful, and a violation of this permit, for the permittee to discharge or place any waste or other substance in such a way as will be or may become offensive such as unnatural deposits, floating debris, oil, scum or other nuisances such as color, odor or taste, or cause conditions which produce undesirable aquatic life or which produce objectionable tastes in edible aquatic organisms; or result in concentrations or combinations of substances which produce undesirable physiological responses in desirable resident fish, or other desirable aquatic life, or undesirable human health effects, as determined by bioassay or other tests performed in accordance with standard procedures.

practicable.

6. Best management practices for the control of surface runoff shall be developed, implemented and maintained for the control of storm water runoff.

E. Specific Limitations and Self-monitoring Requirements of Hydrostatic Testing.

1. Effective immediately and lasting the duration of this permit, the permittee is authorized to discharge from all Outfalls. Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristics	Discharge Limitations a/f/				Monitoring Requirements	
	Average		Daily Min.	Daily Max.	Measurement Frequency	Sample Type
	30-day	7-day				
Flow, GPD	NA	NA	NA	NA	Weekly	Instant
Oil & Grease, visible b/	NA	NA	NA	NA	Daily	Visual Observation
Oil & Grease, mg/L c/	NA	NA	NA	10	Weekly	Grab
Total Suspended Solids, mg/L d/	25	35	NA	70	Weekly	Grab/Composite
Total Residual Chlorine, mg/L e/	NA	NA	NA	NA	Daily	Grab
pH, Standard Units	NA	NA	6.5	9.0	Weekly	Grab

NA - Not Applicable.

- a/ See Definitions, Part V for definition of terms.
  - b/ Observe effluent daily for visible Oil & Grease sheen.
  - c/ Sample for Oil & Grease only when a sheen is observed or there is reason to suspect the presence of oil.
  - d/ The Utah Water Quality Board may allow exceptions to the total suspended solids monthly and weekly limitations on a case-by-case basis where the discharge will not exceed 45 days and the treatment system is designed, built, and operated to meet the maximum concentration limitation and there will be no significant detrimental affect on receiving water quality or downstream beneficial uses.
  - e/ The use of chlorinated water for a hydrostatic testing fluid shall not be allowed unless it can be demonstrated that the chlorine essentially dissipates prior to discharge and/or poses no potential for toxic impacts to the receiving waters. Chlorine sampling will be required when chlorinated water is used and discharged to a stream with a chlorine standard.
  - f/ The permittee must comply with all conditions of this permit. Any permit noncompliance which includes but is not limited to: violations of any effluent limit detailed in Part I. D of this permit or violations of the Narrative Standard as stipulated in Part I.C of this permit constitutes a violation of the Act and is grounds for enforcement action. Part III of this permit further details the compliance responsibilities of the permittee.
2. The Director may require additional one time or regular sampling other than that specified above.
  3. Samples taken in compliance with the monitoring requirements specified above shall be taken at the discharge point(s) identified in the NOI.
  4. All point source discharges will be required to place velocity dissipation devices at

**II. MONITORING, RECORDING AND REPORTING REQUIREMENTS**

- A. Representative Sampling. Samples taken in compliance with the monitoring requirements established under Part I shall be collected from the effluent stream prior to discharge into the receiving waters. Samples and measurements shall be representative of the volume and nature of the monitored discharge
- B. Monitoring Procedures. Monitoring must be conducted according to test procedures approved under Utah Administrative Code ("UAC") R317-2-10, unless other test procedures have been specified in this permit.
- C. Penalties for Tampering. The Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than six months per violation, or by both.
- D. Reporting of Monitoring Results. Monitoring results obtained during the previous month shall be summarized and reported on a Discharge Monitoring Report Form (EPA No. 3320-1), post-marked no later than the 28th day of the month following the completed reporting period. If no discharge occurs, "no discharge" shall be reported. Legible copies of these, and all other reports required herein, shall be signed and certified in accordance with the requirements of Signatory Requirements (see Part IV.G), and submitted to the Director, Division of Water Quality at the following address:

Department of Environmental Quality  
Division of Water Quality  
195 North 1950 West  
PO Box 144870  
Salt Lake City, Utah 84114-4870

- E. Compliance Schedules. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any Compliance Schedule of this permit shall be submitted no later than 14 days following each schedule date.
- F. Additional Monitoring by the Permittee. If the permittee monitors any parameter more frequently than required by this permit, using test procedures approved under UAC R317-2-10 or as otherwise specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR. Such increased frequency shall also be indicated. Only those parameters required by the permit need to be reported.
- G. Records Contents. Records of monitoring information shall include:
1. The date, exact place, and time of sampling or measurements;
  2. The individual(s) who performed the sampling or measurements;
  3. The date(s) and time(s) analyses were performed;
  4. The individual(s) who performed the analyses;
  5. The analytical techniques or methods used; and,
  6. The results of such analyses.
- H. Retention of Records. The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for

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within 24 hours shall be reported at the time that monitoring reports for Part II.D are submitted. The reports shall contain the information listed in Part II.I.3.

K. Inspection and Entry. The permittee shall allow the Director, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and,
4. Sample or monitor at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the Act, any substances or parameters at any location.

- 1) The bypass was unavoidable to prevent loss of human life, personal injury, or severe property damage ;
  - 2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and,
  - 3) The permittee submitted notices as required under paragraph 2 of this section.
- b. The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in paragraph 3.a of this section.
3. Notice.
- a. Anticipated bypass. Except as provided above in paragraph 2 (Prohibition of bypass) and below in paragraph 3.b, if the permittee knows in advance of the need for a bypass, it shall submit prior notice, at least ninety days before the date of bypass. The prior notice shall include the following unless otherwise waived by the Director:
    - 1) Evaluation of alternative to bypass, including cost benefit analysis containing an assessment of anticipated resource damages;
    - 2) A specific bypass plan describing the work to be performed including scheduled dates and times. The permittee must notify the Director in advance of any changes to the bypass schedule;
    - 3) Description of specific measures to be taken to minimize environmental and public health impacts;
    - 4) A notification plan sufficient to alert all downstream users, the public and others reasonably expected to be impacted by the bypass;
    - 5) A water quality assessment plan to include sufficient monitoring of the receiving water before, during and following the bypass to enable evaluation of public health risks and environmental impacts; and
    - 6) Any additional information requested by the Director.
  - b. Emergency Bypass. Where ninety days advance notice is not possible, the permittee must notify the Director, and the Director of the Department of Natural Resources, as soon as it becomes aware of the need to bypass and provide to the Director the information in paragraph 3.a(1) through (6) (above) to the extent practicable.
  - c. Unanticipated Bypass. The permittee shall submit notice of an unanticipated bypass to the Director as required under Part II.I., Twenty Four Hour Notice of



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- d. The level established by the Director in accordance with UAC R317-8-4.2(6).
- 2. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
  - a. Five hundred micrograms per liter (500 ug/L);
  - b. One milligram per liter (1 mg/L) for antimony;
  - c. Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with UAC R317-8-3.4(9); or,
  - d. The level established by the Director in accordance with UAC R317-8-4.2(6).
- K. Industrial Pretreatment. Any wastewaters discharged to the sanitary sewer, either as a direct discharge or as a hauled waste, are subject to Federal, State and local pretreatment regulations. Pursuant to Section 307 of The Water Quality Act of 1987, the permittee shall comply with all applicable federal General Pretreatment Regulations promulgated at 40 CFR 403, the State Pretreatment Requirements at UAC R317-8-8, and any specific local discharge limitations developed by the Publicly Owned Treatment Works (POTW) accepting the wastewaters.

In addition, in accordance with 40 CFR 403.12(p)(1), the permittee must notify the POTW, the EPA Regional Waste Management Director, and the State hazardous waste authorities, in writing, if they discharge any substance into a POTW which if otherwise disposed of would be considered a hazardous waste under 40 CFR 261. This notification must include the name of the hazardous waste, the EPA hazardous waste number, and the type of discharge (continuous or batch).

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position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)

3. Changes to authorization. If an authorization under paragraph IV.G.2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph IV.G.2 must be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative.
4. Certification. Any person signing a document under this section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

- H. Penalties for Falsification of Reports. The Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction be punished by a fine of not more than \$10,000.00 per violation, or by imprisonment for not more than six months per violation, or by both.
- I. Availability of Reports. Except for data determined to be confidential under UAC R317-8-3.2, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the office of Director. As required by the Act, permit applications, permits and effluent data shall not be considered confidential.
- J. Oil and Hazardous Substance Liability. Nothing in this permit shall be construed to preclude the permittee of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under the Act.
- K. Property Rights. The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.
- L. Severability. The provisions of this permit are severable, and if any provisions of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.
- M. Transfers. This permit may be automatically transferred to a new permittee if:
  1. The current permittee notifies the Director at least 20 days in advance of the proposed

V. DEFINITIONS.

A. Definitions.

1. The "7-day (and weekly) average" is the arithmetic average of all samples collected during a consecutive 7-day period or calendar week, whichever is applicable. The 7-day and weekly averages are applicable only to those effluent characteristics for which there are 7-day average effluent limitations. The calendar week which begins on Sunday and ends on Saturday, shall be used for purposes of reporting self-monitoring data on discharge monitoring report forms. Weekly averages shall be calculated for all calendar weeks with Saturdays in the month. If a calendar week overlaps two months (i.e., the Sunday is in one month and the Saturday in the following month), the weekly average calculated for that calendar week shall be included in the data for the month that contains the Saturday.
2. The "30-day (and monthly) average" is the arithmetic average of all samples collected during a consecutive 30-day period or calendar month, whichever is applicable. The calendar month shall be used for purposes of reporting self-monitoring data on discharge monitoring report forms.
3. "Act" means the "Utah Water Quality Act".
4. "Best Management Practices" ("BMPs") means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.
5. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.
6. "CWA" means The Federal Water Pollution Control Act, as amended, by The Clean Water Act of 1987.
7. "Composite samples" shall be flow proportioned. The composite sample shall, as a minimum, contain at least four (4) samples collected over the composite sample period. Unless otherwise specified, the time between the collection of the first sample and the last sample shall not be less than six (6) hours nor more than 24 hours. Acceptable methods for preparation of composite samples are as follows:
  - a. Constant time interval between samples, sample volume proportional to flow rate at time of sampling;
  - b. Constant time interval between samples, sample volume proportional to total flow (volume) since last sample. For the first sample, the flow rate at the time the sample was collected may be used;
  - c. Constant sample volume, time interval between samples proportional to flow (i.e., sample taken every "X" gallons of flow); and,

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18. "Significant spills" includes, but is not limited to: releases of oil or hazardous substances in excess of reportable quantities under Section 311 of the Clean Water Act (see 40 CFR 110.10 and 40 CFR 117.21) or Section 102 of CERCLA (see 40 CFR 302.4).
19. "Storm water" means storm water runoff, snowmelt runoff, and surface runoff and drainage.
20. "Time-weighted composite" means a composite sample consisting of a mixture of equal volume aliquots collected at a constant time interval.
21. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
22. "Waste pile" means any non-containerized accumulation of solid, non-flowing waste that is used for treatment or storage.

## APPENDIX

### Notice of Intent Form